

IN THE CIRCUIT COURT OF CLAY COUNTY, MISSISSIPPI

HANNAH MCCULLAR

PLAINTIFF

VS.

CASE # 2016-0030 H

ALLIANCE HEALTH PARTNERS, LLC
DBA MERIT HEALTH BATESVILLE
F/K/A TRI-LAKES MEDICAL CENTER

DEFENDANT

JURY TRIAL DEMANDED

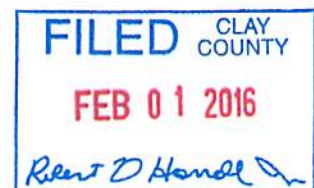
COMPLAINT

COMES NOW the Plaintiff, **Hannah McCullar**, by and through counsel, and files this *Complaint* against the Defendant, **ALLIANCE HEALTH PARTNERS, LLC, DBA MERIT HEALTH BATESVILLE, F/K/A TRI-LAKES MEDICAL CENTER**, and in support thereof would show unto the Court the following:

PARTIES

1.

The Plaintiff, **Hannah McCullar**, is an adult resident citizen of Quitman County, Mississippi.



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2.

The Defendant, **ALLIANCE HEALTH PARTNERS, LLC, DBA MERIT HEALTH BATESVILLE, F/K/A TRI-LAKES MEDICAL CENTER** is a Limited Liability Company organized under the laws of Mississippi, and may be served by its Registered Agent, CSC of Rankin County, Inc., at Mirror Lake Plaza, 2829 Lakeland Drive Suite 1502, Flowood, Mississippi.

JURISDICTION AND VENUE

3.

Jurisdiction and venue are proper in this Court pursuant to §11-11-3 of the *Mississippi Code of 1972, Annotated*, as amended.

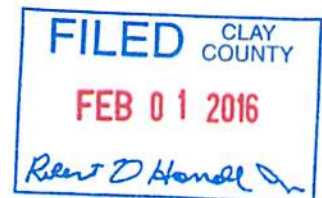
FACTS

4.

The cause of action arose from a legal action filed in Lee County, Mississippi. That cause is New Beginnings International Children's and Family Services, Inc. vs. Markevious Frost, Lee County Chancery # 2012-1071-41-MM. Christina Townsend, attorney for Markevious Frost, subpoenaed the private confidential medical records of the plaintiff, Hannah McCullar, from the Defendant, **ALLIANCE HEALTH PARTNERS, LLC, DBA MERIT HEALTH BATESVILLE, F/K/A TRI-LAKES MEDICAL CENTER**, hereafter "Alliance", without providing a HIPPA ACT (HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT) authorization, and without notice to the plaintiff that she was obtaining her records.

5.

The Defendant Alliance is required to obtain a HIPPA authorization before disclosing the private, confidential records of a patient.



6.

The Defendant Alliance published Ms. McCullar's private, confidential medical records by forwarding them to Christina Townsend, exposing her private medical records to the members of the general public, without HIPPA authorization or waiver of Ms. McCullar's medical privilege. The Defendant Alliance delivered Ms. McCullar's private, confidential medical records to Townsend at the offices of North Mississippi Rural Legal Services, LLC, in West Point, Mississippi.

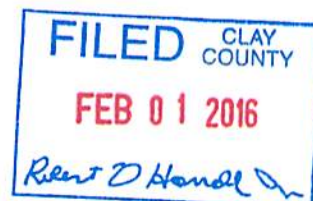
7.

The Defendant Alliance published Ms. McCullar's private, confidential medical records by forwarding them to Christina Townsend, instead of forwarding them sealed, to the Court specifically listed on the Subpoena Duces Tecum, as is required by MCA § 41-9-105. This resulted in exposing her private medical records to members of the general public, without HIPPA authorization or waiver of Ms. McCullar's medical privilege. The act of delivering Ms. McCullar's records to Townsend in West Point, Mississippi, was a breach of Ms. McCullar's right to privacy.

CAUSES OF ACTION

8.

Defendant is liable to Plaintiff for invasion of privacy and intentional infliction of emotional distress. Defendant's actions are so malicious, intentional, willful, wanton,



and outrageous, with no legitimate purpose except to harm Plaintiff by improperly forwarding and publishing her personal, confidential medical records, that punitive damages are warranted.

9.

The Defendant Alliance violated MCA § 41-9-105, by failing to have Ms. McCullar's private, confidential medical records sealed and sent to the Court. Instead, Alliance forwarded Ms. McCullar's medical records directly to Townsend, at her office in West Point, Mississippi, which is an invasion of privacy, and breach of the duty of confidentiality.

DAMAGES

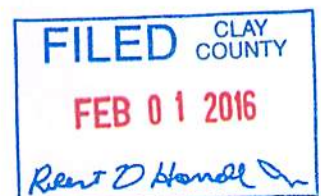
10.

Plaintiff prays for actual and punitive damages in an amount to be determined by a jury, in excess of the minimum jurisdictional limits of this court, and for reasonable attorney's fees and costs in this cause.

11.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that process issue to the Defendant returnable according to law, and that the Court grant Plaintiff the following relief:

1. Actual damages in an amount to be determined by a jury;
2. Punitive damages in an amount to be determined by a jury;
3. Attorney's fees and costs;



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4. And if mistaken for any relief contained herein, Plaintiff prays for such other, further, general, specific or special relief to which they may be entitled by law and/or equity.

RESPECTFULLY SUBMITTED, this the 29th day of January, 2016.

Hannah McCullar, Plaintiff

By: Roy O. Parker Jr.
Roy O. PARKER JR. MSB #4015
Attorney for Plaintiff

Of Counsel:

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Tupelo, MS 38802
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STATE OF MISSISSIPPI

COUNTY OF LEE

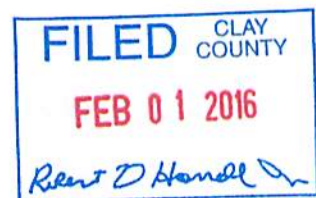
PERSONALLY APPEARED BEFORE ME, the undersigned authority within and for the aforesaid county and state, **Hannah McCullar**, who being by me first duly sworn state on their oath that the statements contained in the **COMPLAINT** are true and correct to the best of her knowledge and belief.

Hannah McCullar
HANNAH McCULLAR

SWORN TO AND SUBSCRIBED BEFORE ME, on this 27th day of January, 2016.

[Signature]
Notary Public

My Commission Expires:





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